

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EVERHOME MORTGAGE COMPANY,

Plaintiff,

- against -

ORDER
07-CV-98 (RRM) (RML)

THE CHARTER OAK FIRE INSURANCE
COMPANY, THE ST. PAUL TRAVELERS
COMPANIES, INC., MANTINA KRAIEM, and
LASALLE BANK, N.A.,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

On May 18, 2012, plaintiff Everhome Mortgage Company moved to impose a sanction of default judgment against defendant Mantina Kraiem for repeated refusals to comply with discovery requests and orders of the court. (Doc. No. 123.) By an Order dated May 31, 2012, this Court referred that motion to the assigned Magistrate Judge, the Honorable Robert M. Levy, for a Report and Recommendation ("R&R"). On January 15, 2013, Judge Levy issued an R&R recommending that plaintiff's motion be granted in light of defendant Kraiem's history of noncompliance. (Doc. No. 124.) Judge Levy also reminded the parties that pursuant to Fed. R. Civ. P. 72(b) any objections to the R&R were due within fourteen (14) days, *i.e.* on or before January 29, 2013. (*Id.* at 6.) As of the date of this Order, no objections have been filed.

In accordance with 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, the Court has reviewed the R&R for clear error and, finding none, concurs with and adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F.Supp.2d 224, 226 (E.D.N.Y. 2007). "[W]eighed in light of the full record in the case," the Court agrees with Judge Levy that a sanction of default judgment is appropriate. *Cf. Cine Forty-Second St. Theatre Corp. v. Allied Artists Pictures Corp.*, 602 F.2d 1062, 1068 (2d Cir. 1979).

CONCLUSION

Accordingly, it is hereby ORDERED that a default judgment be entered against defendant Mantina Kraiem, and that defendant Mantina Kraiem pay the reasonable attorney's fees and costs incurred by plaintiff in bringing this motion.

SO ORDERED.

Dated: Brooklyn, New York
February 28, 2013

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge